

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE  
2007 OCT 29 PM 3:42

Robert E. Eaton  
Petitioner

V.

C.A. No. 07-281-JJF

THOMAS CARROLL, WARDEN,  
Joseph Biden, III, Attorney  
General of the state of  
Delaware.

Request For Evidentiary Hearing (Prose)

- 1) Comes now Petitioner (hereinafter "P"), pro se, and requests an Evidentiary Hearing in support of his petition for writ of Habeas Corpus.
- 2) "P" has asserted a serious conflict of interest with his attorney; said conflict causing complications arising to ineffective assistance of counsel.
- 3) Prior to the disposition of "P's" state charges, "P" did disclose to his attorney certain confidential detailed information of great value to the office of Attorney General. "P" is not certain whether some of this information could be considered self-incriminating. An Evidentiary Hearing may help determine this issue.

- 4). The conflict of interest arising from "P" disclosing to his counsel the information related in paragraph 3 above is not of record in any proceedings in "P's" state case.
- 5). The conflict of interest stems exclusively from communications between "P" and his attorney.
- 6). To "P's" great surprise and disappointment the information which "P" disclosed to his attorney in the most strict confidence was disclosed to the public prior to "P's" trial.
- 7). This breach of confidentiality had a crushing effect on "P's" ability to trust his attorney as "P" will explain at an Evidentiary Hearing.
- 8). The information conveyed by "P" to his attorney is of such a nature that any attorney would realize the serious complications of its becoming public knowledge.
- 9). As a result of the breach of confidentiality by "P's" attorney, "P's" case was affected because "P" lost all confidence in counsel and could not trust her and communicate candidly with her.

- 10). At an Evidentiary Hearing this court may reconsider the necessity of appointing counsel to help ascertain all pertinent facts regarding this conflict of interest
- 11) An Evidentiary Hearing will provide this court details of the situation which will show the complexity of the conflict of interest, its affect ~~on~~ on "P's" criminal case, and allow this court to better determine how to proceed further in this matter,

wherefore, "P" requests an Evidentiary Hearing be scheduled at this court's earliest convenience.

Respectfully,

Robert E. Eaton

October 25, 2007

CERTIFICATE OF SERVICE

C.A. NO 07-281-JJF

Petitioner hereby swear and affirm  
that he has mailed via united states mail  
a copy of this Request for evidentiary  
hearing to the office of the Attorney  
General of the state of Delaware at:

CARVEL state office Bldg,  
820 North French street  
wilmington, Delaware, 19801

october 24, 2007

Robert Edward Eaton

IM Robert E. Eaton

SBI# 202058 UNIT V

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

WILMINGTON DE 197

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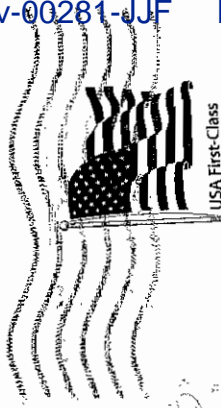
U.S. MAR. 5  
2007

CLERK OF THE COURT

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WILMINGTON, DELAWARE

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